



Entered on Docket  
December 18, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

Electronically Filed on \_\_\_\_\_

WILDE & ASSOCIATES  
Gregory L. Wilde, Esq.  
Nevada Bar No. 004417  
208 South Jones Boulevard  
Las Vegas, Nevada 89107  
Telephone: 702 258-8200  
[bk@wildelaw.com](mailto:bk@wildelaw.com)  
Fax: 702 258-8787

and

MARK S. BOSCO, ESQ.  
Arizona Bar No. 010167  
TIFFANY & BOSCO, P.A.  
2525 East Camelback Road. Suite 300  
Phoenix, Arizona 85016  
Telephone: (602) 255-6000

America's Servicing Company  
09-77455

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Jose Fabela and Susan Marie Fabela

Debtors.

BK-S-09-29895-lbr

Date: 11/23/2009  
Time: 10:30 A.M.

Chapter 7

**ORDER VACATING AUTOMATIC STAY**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor America's Servicing Company, its assignees and/or successors in interest, of the subject property, generally described as 1404 Lodgepole Dr, Henderson, NV 89014, and legally described as follows:

Parcel I:

Lot 37 in Blcok 1 of WHITNEY RANCH EAST UNIT 6, as shown by map thereof on file in Book 46, of Plats. Page 4 in the Office of the County Recorder of Clark County, Nevada.

Parcel II:

Those easements granted for the benefit of Grantee (in his capacity as an "Owner") in, and created by that certain Master Declaration of Covenants, Conditions and Restrictions and Grant and Reservation of Easements for the Whitney Ranch (the "Declaration") dated December 8, 1988, and recorded on December 14, 1988, as Document No. 00334 in Book 881214 of Official Records in the Office of the County Recorder of Clark County, Nevada.

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1 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall  
2 give Debtors at least five business days' notice of the time, place and date of sale.

3 DATED this 8<sup>th</sup> day of December 2009

4 Submitted by:

5 **WILDE & ASSOCIATES**

6 By: [Signature] vs Gregory L. Wilde, Esq

7 **Gregory L. Wilde, Esq.**

8 Attorney for Secured Creditor

9 208 South Jones Boulevard

Las Vegas, Nevada 89107

10 APPROVED / DISAPPROVED

11 By: \_\_\_\_\_

12 Shawn Christopher

13 2625 N. Green Valley Pkwy.

#110

14 Henderson, NV 89014

Attorney for Debtor(s)

15 Nevada Bar No: \_\_\_\_\_

16 APPROVED / DISAPPROVED

17 By: \_\_\_\_\_

18 Timothy S. Cory

19 8831 West Sahara Ave.

20 Las Vegas, NV 89117

Chapter 7 Trustee

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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any  
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,  
and each has approved or disapproved the order, or failed to respond, as indicated below  
(list each party and whether the party has approved, disapproved, or failed to respond to the  
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☒ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☒ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: \_\_\_\_\_

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of  
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which  
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor